

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ADHERENCE,

Plaintiff(s),

v.

CVS PHARMACY, INC., et al.,

Defendant(s).

Case No. 2:24-cv-01590-JCM-NJK

Order

[Docket Nos. 70, 72, 89, 91]

Pending before the Court are four motions to seal. Docket Nos. 70, 72, 89, 91.

The motions seek secrecy as to pleadings and summary judgment motion practice. *See id.* As such, compelling reasons must be shown to overcome the strong presumption in favor of public access. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178-79 (9th Cir. 2006).¹

All four motions were filed on the basis that the opposing party had designated materials as confidential. Docket Nos. 70, 72, 89, 91. In such circumstance, the designating party was required to file (within seven days of the filing of the motion to seal) either (1) a declaration establishing sufficient justification for sealing each document at issue or (2) a notice of withdrawal of the designation(s) and consent to unsealing. Docket No. 61 at 2. No declaration has been filed in an attempt to establish compelling reasons.²

¹ The papers state incorrectly that the lower good cause standard applies. *See, e.g.*, Docket No. 70 at 2. The law is clear that the higher compelling reasons standard applies to papers filed in relation to a motion for summary judgment and to pleadings. *See, e.g., Kamakana*, 447 F.3d at 1179 (motions for summary judgment); *Universal Enter. Corp. v. Azure Gaming Am., Inc.*, 2023 WL 270130, at *1 (D. Nev. Jan. 18, 2023) (answer). Of course, even the lower good cause standard requires a factual showing, *see, e.g., Henderson v. Aria Resort & Casino Holdings, LLC*, 2023 WL 4288830, at *1 (D. Nev. June 29, 2023), so the result here is the same under either standard given the failure to substantiate in any fashion the request for secrecy.

² The only response that was filed explains that Plaintiff erred in indicating that Defendants had designated material as confidential and, further, that Defendants did not object to unsealing. Docket No. 94. Hence, the only response that was filed favors unsealing.

1 Having been presented with no basis on which to find compelling reasons for secrecy, the
2 Court **DENIES** each of these motions to seal (Docket Nos. 70, 72, 89, 91). The Court
3 **INSTRUCTS** the Clerk's Office to unseal the corresponding filings (Docket Nos. 71, 73, 85-88,
4 92-93).

5 IT IS SO ORDERED.

6 Dated: August 1, 2025

7 
8 _____
9 Nancy J. Koppe
10 United States Magistrate Judge
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28